## **EXHIBIT 1**

false and frivolous claims set forth in Cracking the Code that only federal, state or local government workers are liable for the payment of federal income tax or subject to the withholding of federal income, social security and Medicare taxes from their wages under the internal revenue laws (26 U.S.C.); and it is further

ORDERED, that within 30 days of the entry of this Amended Judgment and Order of Permanent Injunction, Defendants will file amended U.S. Individual Income Tax Returns for the taxable years ending on December 31, 2002 and December 31, 2003 with the Internal Revenue Service. The amended tax returns to be filed by Defendants shall include, in Defendants' gross income for the 2002 and 2003 taxable years, the amounts that Defendant Peter Hendrickson received from his former employer, Personnel Management, Inc., during 2002 and 2003, as well the amounts that Defendant Doreen Hendrickson received from Una E. Dworkin during 2002 and 2003. SO ORDERED.

> s/Nancy G. Edmunds Nancy G. Edmunds **United States District Judge**

Dated: May 2, 2007

I hereby certify that a copy of the foregoing document was served upon counsel of record on May 2, 2007, by electronic and/or ordinary mail.

> s/Carol A. Hemeyer Case Manager

1	UNITED STATES DISTRICT COURT								
2	FOR THE EASTERN DISTRICT OF MICHIGAN								
3	SOUTHERN DIVISION								
4									
5	UNITED STATES OF AMERICA,								
6	Case No. 13-20371								
7	-vs-								
8	DOREEN HENDRICKSON, Detroit, Michigan								
9	Defendant. July 23, 2014								
10	/								
11	TRANSCRIPT OF TRIAL - VOLUME THREE								
12	BEFORE THE HONORABLE VICTORIA A. ROBERTS								
13	UNITED STATES DISTRICT COURT JUDGE, and a Jury.								
14									
15	APPEARANCES:								
16									
17	For the Government: Melissa Siskind, Esq.								
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1	TABLE OF CONTENTS	
2		
3	WITNESSES:	PAGE
4		
5		
6	ROBERT METCALFE (Government)	
7	Cross-Examination by Mrs. Hendrickson	5
8	Redirect-Examination by Ms. Siskind	57
9	•	
10		
11	DANIEL APPLEGATE (Government)	
12	Direct-Examination by Ms. Siskind	61
13	Cross-Examination by Mrs. Hendrickson	90
14		104
15		
16		
17	RULE 29 MOTION	100
18	•	108
19 20		109 110
21	Response by the nemarickson	110
22		
23		
24		
25		

- 1		
1	Q.	(By Ms. Hendrickson continuing) I just have a couple of things left about the
2	Orde	r itself that was brought to my attention by Mr. Wise. You wrote the Order that
3	Judg	e Edmunds signed, the Summary Order, is that correct?
4	A.	We submitted a proposed Order to the Court and I believe the Court signed it,
5	yes.	
6	Q.	Yes, okay. So she signed it just as you submitted it. I understood from him
7	that's	s like what would normally happen or something?
8		THE COURT: What's your question?
9		MRS. HENDRICKSON: I was clarifying because I was kind of surprised
ıþ	by th	at.
14		THE COURT: But tell me what your question is.
12	Q.	(By Ms. Hendrickson continuing) Oh, that she signed your proposed Order as
13	you s	submitted it with no changes?
14	A.	I believe that's correct.
15	Q.	Okay. I just wanted to go back to that. Now this is just the last topic I believe,
16	and t	this has to do with the Appeals Court when we appealed the decision. When we
17	subn	nitted our appeal, we filed with that two Memoranda, one having to do with the
18	legal	nature of the income tax and one of detailing some procedural issues in the
19	Distr	ict Court proceedings, is that correct? Do you recall that at all?
20	A.	I did not handle the case on appeal.
21	Q.	I thought you
22		THE COURT: What's your question?
23	Q.	(By Ms. Hendrickson continuing) Well, you filed a motion to prevent the
24	appe	eals court from seeing those Memoranda.
25	A.	I need to clarify. I was a trial attorney. We have a separate Appellate Section

#### UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff(s),

Case No. 06-11753 Honorable Nancy G. Edmunds

٧.

PETER ERIC HENDRICKSON and DOREEN M. HENDRICKSON,

Defendant(	s).	,

# ORDER GRANTING PLAINTIFF'S MOTION TO REQUIRE DEFENDANTS TO FILE VALID AMENDED TAX RETURNS FOR 2002 AND 2003

This matter comes before the Court on Plaintiff's motion to require Defendants to file valid amended tax returns for 2002 and 2003. [Docket Text #79.]

The Court has twice previously ordered Defendants to file amended tax returns. [Docket Text ## 34, 68.] When Defendants eventually filed the tax returns, they invalidated the returns by repudiating their signatures by writing "UNDER DURESS" over their signatures. This repudiation resulted in the Internal Revenue Service's inability to process the returns.

The Court, having reviewed the pleadings in this matter and being fully advised in the premises, GRANTS Plaintiff's motion.

The Court therefore ORDERS Defendants to file valid tax returns, in usable form, that in no way undermine the verity of the returns, by January 7, 2011. The Court has already found Defendants in contempt in this matter. [Docket Text #68.] If Defendants fail to file

Judgment-Page 4 of 6

**DEFENDANT: DOREEN M. HENDRICKSON** 

CASE NUMBER: 13CR20371-1

#### SPECIAL CONDITIONS OF SUPERVISION

Upon defendant's release from prison, if she is not current in filing income tax, she must do so within 60 days of release and must provide copies of tax forms filed to the supervising officer, or submit a statement that she is current in submitting tax forms.

Tax forms must be submitted without an altered jurat, affidavit or anything else that prevents the IRS from properly processing her tax submissions.

While on supervised release, defendant is to fully cooperate with the IRS by filing all delinquent or amended returns within 60 days of the release on supervision and to timely file all future returns that come due during the term of supervised release. On these returns defendant shall not alter the jurats, add disclaimers, or otherwise make it impossible for the IRS to properly process them and they cannot be based on any theory contained in Cracking the Code.

Defendant is to report all earned taxable income and claim only allowable expenses on those returns. Hendrickson is to provide all appropriate documentation in support of said returns. Upon request, defendant is to furnish the IRS with information pertaining to all assets and liabilities and defendant is to fully cooperate by paying all taxes, interest and penalties due, and otherwise comply with the tax laws of the United States.

## **EXHIBIT 2**

## Excerpt from an argument that amended returns should be required titled: Amended Returns – Imposing a Duty to Correct Material Mistakes

By Calvin Johnson, Andrews & Kurth Centennial Prof. of Law, University of Texas, Austin School of Law and T. Keith Fogg, Villanova University School of Law, September 8, 2008

#### I. Current Law

#### A. Internal Revenue Code

The Internal Revenue Code does not require a taxpayer to file an amended return to correct a mistake discovered after the filing of the original tax return.[2] The words "amended return" scarcely appear in the code.[3] Reg. sections 1.451-1(a) and 1.461-1(a) provide that a taxpayer "should" file an amended return when the taxpayer ascertains an error on a prior tax return, and pay any additional tax due within the period of limitations.[4] IRS Publication 17, Your Federal Income Tax, has long said that you should correct your return if, after you have filed it, you find that "you did not report some income, [or] you claimed deductions or credits you should not have claimed." The publication states that you should "use Form 1040X, Amended U.S. Individual Income Tax Return, to correct a return you have already filed."

In Broadhead v. Commissioner, the Tax Court held that Treasury regulations do not require a taxpayer to file an amended return, even after being advised to do so by an accountant.[5] In Broadhead, the taxpayer's accountant advised the taxpayer that his closing inventory accounts were in error under accounting principles after the filing of the taxpayer's original income tax return.[6] The IRS argued that Broadhead "willfully and deliberately attempted to evade and defeat his income taxes when he refused to file the amended return after being advised to do so by his accountant."[7] The Tax Court held that the taxpayer "was not required by statute to file an amended return, and if one had been tendered for filing, [the IRS] could have declined to accept it."[8] In Badaracco v. Commissioner, the Supreme Court implicitly accepted Broadhead, saying that "the Internal Revenue Code does not explicitly provide either for a taxpayer's filing, or for the Commissioner's acceptance, of an amended return; instead, an amended return is a creature of administrative origin and grace."[9]

An amended return, Form 1040X, does not generally affect the status of the original return. The filing of an amended return does not change the statute of limitations that began to run with the original return.[10] In Kaltreider Construction Co. v. United States, the corporate taxpayer had filed an amended return and paid the additional tax shown due on the amended return within the original return's three-year statute of limitations.[11] However, more than two years after payment of the additional tax, the corporation filed a claim for refund shortly after a court ruled that the additional tax should have been paid by the individual owners of the corporation and not the corporation itself.[12] Rejecting the taxpayer's argument that the three-year period of limitations should begin to run from the time the amended return was filed, the Third Circuit Court of Appeals found that the claim for refund was not timely filed, stating, "the statute of limitations begins to run from the date the original return was filed, and the filing of the amended return does not operate to extend the statute."[13] There is a limited exception under section 6501(c)(7) in which an amended return will extend the statute of limitations: If the IRS receives a written document showing an additional tax due, signed by the taxpayer, within 60 days before the expiration of the statute of limitations, the period for assessment of the additional amount shall not expire for 60 days after the date of receipt of such document.

Similarly, if the taxpayer had filed a fraudulent original return, the filing of an accurate amended return does not change the fraudulent nature of the original. In Badaracco, the Supreme Court held that the

section 6501(c)(1) exception applies when a taxpayer files a false or fraudulent return and then later files a non-fraudulent amended return, allowing the assessment of additional taxes "at any time," even after three years have passed.[14] The code prescribes penalties for taxpayers and return preparers that understate tax liability. Treasury regulations provide that accuracy-related provisions apply to additional tax shown on amended returns.[15] Under section 6662, a taxpayer faces a penalty of 20 percent of the portion of underpayment that is attributable to negligence or disregard of rules or regulations or any substantial understatement of tax.[16] Negligence in this instance is defined to include "any failure to make a reasonable attempt to comply" with the code provisions, and disregard includes any "careless, reckless or intentional disregard." [17] A substantial understatement of income tax is defined as the greater of 10 percent of the tax required to be shown on the return or \$5,000 (\$10,000 for corporations). [18]

The tax return preparer is also subject to penalties for understatement of tax.[19] In 2007 Congress increased the penalty amounts on tax return preparers[20] and raised the standards of conduct to avoid the return preparer penalty. To avoid a penalty after the 2007 amendments, the tax return preparer must have a reasonable belief that the position was more likely than not to be sustained on its merits if the position is not adequately disclosed on the tax return.[21] If the position is adequately disclosed, it needs only to have a reasonable basis.[22] A position meets the more likely than not standard if it has a greater than 50 percent likelihood of being upheld.[23] The reasonableness and likelihood of a position may be established by authorities described in reg. section 1.6662-4(d)(3)(ii).[24] Proposed amendments to the Circular 230 standards would incorporate the new more likely than not and reasonable basis standards as the minimum standards of professional conduct for practice before the IRS.[25] Section 6651(a) imposes civil penalties of 5 percent of the tax due for each month the failure to file a return continues, up to 25 percent in the aggregate.[26] If the failure to file is shown to be due to fraud, the civil penalty can be up to 75 percent of the tax shown on the return.[27] Section 7203 provides that a failure to file a return is a misdemeanor, subject to up to a \$25,000 (\$100,000 for a corporation) fine and one year's imprisonment. The civil and criminal penalty provisions for failure to file a tax return do not apply to amended returns.

[1]Prior scholarly commentary supporting the amended return includes Kenneth L. Harris, "Requiring the Correction of Error Under the Federal Tax Law," 42 Tax Law. 515, 536 (1989) (concluding that an amended return is within a taxpayer's duty to file a true and amended return, and finding no administrative difficulties); Judson Temple, "Rethinking Imposition of a Legal Duty to Correct Material Tax Return Errors," 76 Neb. L. Rev. 223 (1997) (failure to require amended returns is a "lingering oddity" of procedure).

[2] The term "amended return" refers to a return filed after an original return has been filed for a taxable period and after the due date, including extensions, for the original return. That an amended return is filed after the due date of the return distinguishes it from a "superseding return," which will be defined and discussed below.

[3] The three places in the code that the words "amended returns" appear are in section 965(b)(2) (exception to amounts to be included for the temporary dividends received deduction) and in the descriptive headings of section 6501(c)(7) (exception to the statute of limitations on assessment) and section 6662A(e)(3) rule with respect to the imposition of the accuracy-related penalty on understatements). Sections 6501(c)(7) and 6662A(e)(3) are discussed further below.

[4]Reg. section 1.451-1(a) provides that "if a taxpayer ascertains that an item should have been included in gross income in a prior taxable year, he should, if within the period of limitation, file an amended return and pay any additional tax due." Under reg. section 1.461-1(a), "if a taxpayer ascertains that a

liability was improperly taken into account in a prior taxable year, the taxpayer should, if within the period of limitation, file an amended return and pay any additional tax due."

[5]Broadhead v. Commissioner, 14 T.C.M. (CCH) 1284 (1955). [6]Id. [7]Id. [8]Id. [9]Badaracco v. Commissioner, 464 U.S. 386, 393 (1984). [10] Michael Saltzman, IRS Practice and Procedure, para. 5.02[2][b], RIA (revised 2d ed. 2002) (citing Kaltreider Construction Co. v. United States, 303 F.2d 366 (3d Cir.), cert. denied, 371 U.S. 877 (1962)). [11]Kaltreider Construction Co., 303 F.2d at 367. [12]Id. [13]Id. at 368 (quoting 10 Mertens, Federal Income Taxation section 57.15). [14]Saltzman, (quoting Badaracco, 464 U.S. at 393). [15]Reg. section 1.6664-2(c)(2) and (3). [16]Section 6662(a) and (b). The substantial understatement of tax can arise from an understatement of income tax, a substantial valuation misstatement, a substantial overstatement of pension liabilities, or a substantial estate or gift tax valuation understatement. Section 6662(b)(2) through (5). [17]Section 6662(c). [18]Section 6662(d). [19]Section 6694. [20]Section 6694(a) and (b); Notice 2007-5, 2007-3 IRB 269, Doc 2006-25337, 2006 TNT 245-6; Circular 230 section 10.34. Section 8246 of the Small Business and Work Opportunity Tax Act of 2007, P.L. 110-28, 121 Stat. 190, amended several code provisions related to the tax return preparer penalty. The 2007 act increased the section 6694(a) penalty from \$250 to the greater of \$1,000 or 50 percent of the tax return preparer's income from the tax return preparation service. The section 6694(b) penalty for willful and reckless conduct was increased from \$1,000 to the greater of \$5,000 or 50 percent of the income from the tax preparation service. [21]Section 6694(a)(2)(A) through (C)(i). [22]Section 6694(a)(2)(C)(ii).

[23]Reg. section 1.6662-4(d)(2).

[24]Notice 2007-5; Circular 230 section 10.34.

[25]Proposed Treasury amendments to Circular 230, 31 CFR section 10.34(a) and (e), by reference to section 1.6662-4. In addition to the proposed regulations under Circular 230 there are also proposed regulations under sections 6694 and 6695, see 73 Fed. Reg. 34,560 (proposed June 17, 2008) (to be codified at 26 C.F.R. pts 1, 20, 25, et al.)

[26]Section 6651(a).

[27]Section 6651(f).

## **EXHIBIT 3**

### **United States**



### of America

#### Department of the Treasury **Internal Revenue Service**

Date: February 15, 2006

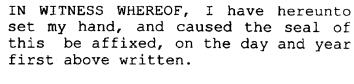
#### CERTIFICATE OF OFFICIAL RECORD

I certify that the annexed: Is a true copy of a Form 1040, U. S. Individual Income Tax Return and attachments dated August 12, 2003, for Peter E. and Doreen M. Hendrickson, Taxpayer Identification Numbers respectively, for tax year 2002 consisting of 5 `and <sup>\*</sup>

pages. \_

under the custody of this office.

**EXHIBIT** 

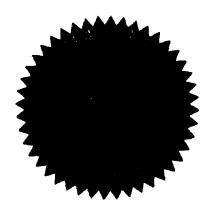


By the direction of the Secretary of the Treasury:

Scott B. Prentky, Field Director Ogden Compliance Services

By: Layne D. Carver

Exam SC Support Operations Manager



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### **United States**



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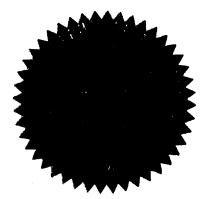
## Department of the Treasury Internal Revenue Service

Date: September 29, 2005

#### CERTIFICATE OF OFFICIAL RECORD

I certify that the annexed: Is a true copy of a Form 1040, U. S. Individual Income Tax Return and attachments dated April 7, 2004 for Peter E. and Doreen M. Hendrickson, Taxpayer Identification Numbers and respectively, for tax year 2003 consisting of 4 pages.

under the custody of this office.



IN WITNESS WHEREOF, I have hereunto set my hand, and caused the seal of this office to be affixed, on the day and year first above written.

By the direction of the Secretary of the Treasury:

Scott B. Prentky, Field Director Ogden Compliance Services

Scott B. Protte

By: Dennis L. Parizek

Exam SC Support Operations Manager

EXHIBIT

Form 2866 (Rev. 09-97)

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if more than live -		<u> </u>			at reduction —
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Income	7	Wogou wateries, tips, etc. Attach Fo	rnys) W-2		370
	법의	Taxable interest Africh Schneige F Tax-exempt interest. Do not includ		SD 1	
Attach Forms W-2 and	р 94	Ordinary distributes, August Schedul	and Mariet Imm		
W-2G hore. Also attach	Þ	Outsigned singlements (são pago 23)		en	
Form(s) 1000-R	19 11	Taxable refunds, credits, or offsets Altmony received	of state and local income	taxes (see page 23) .	
withhold.	12	Delainmas income or (loss). Areach S	chodule C of C (22		12
	134	Capital gain or liossi. Attach School			
Minary diameter	þ	If how all I suits checked, while how May !	- and and the Chair State of the Control of the Con	[30]	
Get a M-3.	14 15a	Other gains or (lusses). Alunch Form		rxabje amount (see page 2	003 4//
ട്ടര ഉദ്യാ 22.	164	Pansione and annihities 16a		axulpin almount (see nage 2	151 160
Enclose, but do	17	Rental real estate, rayalties, porthar		is, ois, Anach Schodulo	F 13
bolations yes.	18 19	Farm Incomo or (lose). Attach Scho	quie F		19
Please use Form 1840-V.	79 20a	Social security beroing . 30a	D I	axaple anioint (see page	1 2 2 2
	21	Other Income, List type and emoun	k (seu page 27)		» a 286 14
	22	vag the amounts in the luctions com		23	► 21 286 14
Adjusted	23 24	Educator expenses (see page 20)	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	24	
Gross	25	Student loan interest deduction (se	n paga 31)	26 4	
Income	26	Turtique and form deduction issue pa	3-7-4 · · · · · P	26	
	27 20	Moving expenses. Attach Form 300		27 7	
	211	One-half of self-employment tax. A	Contract Con	29	
	30	Solf-omployed health trautation de Solf omployed SEP, SIMPLE, anti-		30	
	21	Parkilly on oarly windrawal of savi		31	
	324		<u> </u>	324	
	33 34	Add lines 23 liguight 325 Subtract line 33 from the 23. This	is your adjusted gross in	como	3 256 14

Form 1040 (2003)			Prop. 2
Tax and	35	Amount from live 34 (individed gross Indontal)	286 14
Credits	36a		en e
Standard	<b>,</b>	#: ☐ Spouso was born before January 2, 1939, ☐ Bland, checked ➤ 369	
Deduction	b	The state of the s	
for—		you were a dual-status allun, see page 34 and check here ▶ 36b 🔲	
<ul> <li>Psople who checked any</li> </ul>	37		500 00
DOX On line	38	Subtract line 37 form line 35	010 00/
Joa or Jeb or who can be	38	if the 35-is \$104.835 or less, multiply \$1,050 by the total number of exemptions claimed on	TAO OD
claimed as a dependent.	40	and the same of th	1 3 86 \
200 page 34.	47	Tinx (see page 16), Check if any tax is from a C Form(s) 8814 b C Form 4972	-0=
• All others:	42	Alternative minimum tax (see page 38). Attach Form 6251	
Single or Married filing	43	Add lines 41 and 42	<u>-0 -</u>
Separately, \$4.750	44	Foreign and crook, Attach Form 1116 if required	
Married filing	45	Credit for child and dependent care expenses, Attach Form 2441 45	
jointly or	46	Credit for the elderly or the disabled, Attach Schodule R 45	
Qualifying vidow(ni).	47	Education crodits. Attach Form \$859	
39,500	48	Rethament sovings contributions credit, Attach Form 8880 . 48	. ]
Head of household	49 50	Child tax credit (see page 40)	
\$7,000	51	Credits from: a G Form 8396 b G Form 8859 51	
<del></del>	52	Other credits. Crieck applicable pox(ex): a Form 3800	
		b [] Form 8801 a Specify 52	
	53	Add three 44 through 52. These are your lieftly product	
	54	Subtract line 63 from line 43. If line 63 is more than line 43, order -0	-2 -
Other	55	Self-employment tax. Attrict Schedule SF.  Social Sociality and Modicate Lay on the income nor reported to employer. Attack Found 4117.	<del></del>
Taxes	56 57	and a second in the second was the street to the street of the control of the second street o	28 34
	50	The design of the second secon	
	59	floursettoid draployment uses, Attach Schedule H	-0 -
	80	Add lines 54 through 59. This is your fotal tax	28 34
<b>Payments</b>	61	Federal Income last withheld from Forths W-2 and 1899 . 61 10, 256 34	
<u> </u>	\ 62	2003 estimated tax payments and another applied from 2002 meturn 62	
If you have a qualifying	63	Carried second closes (and)	
child, attach Schodule EIC.	65	Excess social security and dor 1 RRTA Lts withhold (see page 56)  Additional child tax credit, Attach Form 8812  65	
	66	Amount pold with request for extension to file (see page 56) 66 -0	
	67	Other payments from: 4 Form 1439 b Form 1136 c Com MASS. 67 -O-	
	68		328 00
Refund	69	If thre 08 is more than line 60, subtract tine 60 from line 68. This is the amount you overpaid	228 00
Direct doposit? See page 56	70a		388 00
and fill in 70b,	• O	D Routing number	
70c, and 70d	.71	Arrount of line 50 you want applied to your 2004 estimated tax	1
Amount	72		
You Owe	73	Costmatered text persolly (seen page 55)	
Third Party	, Dr	Do you want to office another person to discuse this return with the IRS (see page 58)? 🔲 Yes. Complete th	s fellöwing. 🗌 No
Designee		Designed's Paracrual Igantification  Mitte P	
Sign	Un	inder penalties of pergry, I declare that I have expressed this return and accompanying achecules and statements, and to the best of	d my knowledge sad
Here		refer, they are true, correct, and complete. Dechrotion of preparer (other than expayer) is based on all information of which preparer	
Joint roturn?	. "		Tone number
See page 20. Keep a copy	-	4-07-04 American Citizen William	
for your records.	7 9	Spouse's signature. If a joint return both must sign. Date Spouse's occupation	
		Herein Th Ug - Horloy Michigan resident Proposion's	SSN or PTIN
Paid		Preporer's Chack if self-employed	
Preparer's	· Fir	First 1 name (or )	· · · · · · · · · · · · · · · · · · ·
Use Only	yn ad	nours if self-emptoyee(). Phone ng. ( )	
-	_		c. 1040 mm

Department of the Freesury - Internel Revenue Service Form 4852
(Revised Oct 1998) Substitute for Form W-2, Wage and Tax Statement, or Form 1099-R.
Distributions From Passions, Annuities, Religement or

	Pensions, Amnuities, Retirema is, IRAs, Insurance Contracts,		1545-0458
Attach to Form	1940,1040A, 1040-EZ or 1840X		
1. Namo (First, middle, lest) Rater E, Hendrickson		2. Social secu	rity number (SSN)
1 Address:	Control of the contro	<u> 1</u>	
232 Otolo Rd. Commerce Typ., Michy	CO 45862	nan meneralan	
4. Please fill this year at the end of the stalement. I have bean Tax Statoment, or Form 1899-R. Distributions From Penalors etc., from my employer or payer named below. I hereby notify my best estimates of all wages or paymonts paid to one and E	i, Amuitos, Retirement or Profit-sharing	plans IRA's, in	surance Contract shown below are 2003
6. Employer's or payer's name, address and ZIP code Payso	nnel Management Inc.	6. Employer's or	' (your) ' payar's klarititesto
30057 Orchard Lake Rd. Ste 100, Farmington Hill	s. Michigan 48334	number (il kuon	
7(A) Enter wages, compensations and taxes withheld		1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	
Wages (Note: Include (1) the total wages peld     (2) nondeath payments. (3) lips freported and (4)     all other companisation before doductions for	f. Federal income tax withhel	a e	\$5620.02
takes, insuranco, etc.)	g. State lax withheld \$1	942.80 MI	
b. Social security wages	h. Local (six withheld (Name of locality)	-0-	· · · · · · · · · · · · · · · · · · ·
c. Instaction wages	i. Social adeurity tax withheld		\$3757.60
d. Advance EIC payments     Social security tips	i. Modicare tax withheld		\$878.72
(8). Enter distributions from pensions, annuities, retirement of	or profil-sharing plans, IRAs, insurance	contracts, etc.	
1. Gross Distribution -0-	4. Federal Income 1	ax Withheld	-0-
2a. Taxable Amount	5. State Income Tax	Withheld	-0-
2b. Taxable Amount not determined	6: Employee Contril	aution	-0-
Total Distribution	7. Net Unrealized A	ppreciation	-0-
3. Capital Gains (included in 2a) -0-	8, Enter Distribution	Code	-
3. How did you determine the amounts in item 7 above?  Company provided records and the statutory to	anguage behind IRC sections 3	401 and 3121	and others.
9. Explain your efforts to obtain Form W-2, 1099-R, or W-2c equest, but the company refuses to issue forms or 121[a] for fear of IRS retailation. The amounts listed importance Notice: If your employer has ceased operations a social Security Administration office listed in your telephone of	creatly listing payments of "wag ad as withheld on the W-2 It subr or filed for banknutry, you may wish to	ges as define nitted are co	rrect, however.
aperwork Reduction Act Notice; We ask for the information on this form to carry out the informat Rever- eed it to chours that you are complying with these laws and to allow formation requested on a form that is subject to the Paper Reduction elating to a form or its instructions must be retained on long as their of enerally, tax returns and return information are confidential, as requi- caponding on individual circumstances. The estimated average time is stimate or suggestions for making this form simpler, we would be that instruction Center. Rancho Cordova, CA 95743 0001, DO NOT and	nue laws of the United Status. You are required to ligure and collect the right amount of the Actualess the form displays a valid OMB contents may become material in the administration of the production of 103. The time needed to the minutes contents contents contents contents to the Texture of the Park o	red to gree us line; axc You are not re- control number. So stration of any inte to complete this in ming the occurrence.	dutred to provide the taks of records is ernal Rovenue law. form will vary
Inder portalities of perjury, I doctare that I have examined this statement	ent, and to the best of my knowledge and be	Hiel, il is true, com	oct, and complete
0. Your signature		11. Date (mm	ιάθγγγγ)
Mall	<u> </u>	03/2	4/04
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	3 Other			·
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	The state of the s	the contract of the same of th	ABBUTA	- 4- White conditions -

This corrected form 1099-MISC is submitted to rebut a document known to have been submitted by the party identified above as 'PAYER' which erroneously alleges a payment to the party identified above as the 'RECIPIENT' of "gains, profit or income" made in the course of a "trade or business". Under penalty of perjury, I declare that I have examined this statement and to the best of my knowledge and belief, it is true, correct, and complete.

Doreen Hendricksen

03/24/04

## **United States**



## of America

## Department of the Treasury Internal Revenue Service

Date: February 9, 2006

#### CERTIFICATE OF OFFICIAL RECORD

I certify that the annexed: is a true Form 4340, Certificate of Assessments, Payments and Other Specified Matters for Peter E. & Doreen M. Hendrickson, SSN: and Spouse SSN: , for U.S. Individual Income Tax Return (Form (1040), for tax period December 31, 2002, consisting of two pages

under the custody of this office.

IN WITNESS WHEREOF, I have hereunto set my hand, and caused the seal of this office to be affixed, on the day and year first above written.

By direction of the Secretary of the Treasury:

Linda L. Drake

Supervisor Accounting Technician
Ogden W&I Submission Processing

SW Delegation Order 198

EXHIBIT

3

Form 2866 (Rev. 09-1997)

	e 2:06-cv-11753-NGE-RSW Docum		,	
PETER E &	DOREEN M HENDRICKSON	EIN/SSN:		
TYPE OF TA FORM: 1040	X: U.S. INDIVIDUAL INCOME TAX TAX PERIOD: DEC 2002	X RETURN		
DATE	EXPLANATION OF TRANSACTION	ASSESSMENT, OTHER DEBITS (REVERSAL)	PAYMENT, CREDIT (REVERSAL)	ASSESSMENT Date (23C, RAC 006 )
	ADJUSTED GROSS INCOME 20.00			
08-25-2003	RETURN FILED & TAX ASSESSED 08221-236-16503-3		0.00	09-29-2003
04-15-2003	WITHHOLDING & EXCESS FICA		10,152.9	96
03-21-2003	EXTENSION OF TIME TO FILE EXT. DATE 08-15-2003			
04-15-2003	OVERPAYMENT CREDIT TRANSFERRED 1040 200012		(1,699.8	36)

04-15-2003 OVERPAYMENT CREDIT TRANSFERRED

1040 200112

04-15-2003 OVERPAYMENT CREDIT TRANSFERRED

1040 200012

FORM 4340 (REV. 01-2002)

PAGE 1

(6,521.11)

(1,931.99)

Case 2:06-cv-11753-NGE-RSW Document 6-3 Filed 05/23/2006 Page 23 of 37 CERTIFICATE OF ASSESSMENTS, PAYMENTS, AND OTHE SPECIFIED MATTERS
PETER E & DOREEN M HENDRICKSON EIN/SSN: '
TYPE OF TAX: U.S. INDIVIDUAL INCOME TAX RETURN FORM: 1040
BALANCE 0.00
I CERTIFY THAT THE FOREGOING TRANSCRIPT OF THE TAXPAYER NAMED ABOVE IN RESPECT TO THE TAXES SPECIFIED IS A TRUE AND COMPLETE TRANSCRIPT FOR THE PERIOD STATED, AND ALL ASSESSMENTS, ABATEMENTS, CREDITS, REFUNDS, AND ADVANCE OR UNIDENTIFIED PAYMENTS, AND THE ASSESSED BALANCE RELATING THERETO, AS DISCLOSED BY THE RECORDS OF THIS OFFICE AS OF THE ACCOUNT STATUS DATE ARE SHOWN THEREIN. I FURTHER CERTIFY THAT THE OTHER SPECIFIED MATTERS SET FORTH IN THIS TRANSCRIPT APPEAR IN THE OFFICIAL RECORDS OF THE INTERNAL REVENUE SERVICE.
SIGNATURE OF CERTIFYING OFFICER: What. Linda L. Drake
TITLE: Supervisor Accounting Technician, Ogden W&I Submission Processing
DELEGATION ORDER: SW Delegation Order 198
LOCATION: INTERNAL REVENUE SERVICE
ACCOUNT STATUS DATE 02/09/2006

PAGE 2

FORM 4340 (REV. 01-2002)

## **United States**



## of America

## Department of the Treasury Internal Revenue Service

Date: February 9, 2006

#### CERTIFICATE OF OFFICIAL RECORD

I certify that the annexed: is a true Form 4340, Certificate of Assessments, Payments and Other Specified Matters for Peter E. & Doreen M. Hendrickson, SSN: and Spouse SSN: , for U.S. Individual Income Tax Return (Form (1040), for tax period December 31, 2003, consisting of two pages

under the custody of this office.

IN WITNESS WHEREOF, I have hereunto set my hand, and caused the seal of this office to be affixed, on the day and year first above written.

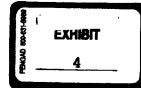
Kirla X. Kirke

By direction of the Secretary of the Treasury:

Linda L. Drake

Supervisor Accounting Technician Ogden W&I Submission Processing

SW Delegation Order 198



CERTIFICATE OF ASSESSMENTS, PAYMENTS, AND OTHLE SPECIFIED MATTERS

PETER E & DOREEN M HENDRICKSON

EIN/SSN: ...

TYPE OF TAX:	U.S.	INDIVIDUAL	. INCOME	TAX RETURN	
FORM: 1040	TA	X PERION:	DEC 200	13	

DATE	EXPLANATION OF TRANSACTION	ASSESSMENT, OTHER DEBITS (REVERSAL)	CREDIT	DATE (23C,
	ADJUSTED GROSS INCOME 286.00			
04-15-2004	RETURN FILED & TAX ASSESSED 09221-105-38349-4 200419		28.34	05-24-2004
04-15-2004	WITHHOLDING & EXCESS FICA		10,256.	34
04-15-2004	OVERPAYMENT CREDIT TRANSFERRED 1040 200012		(5,551.	44)
04-15-2004	CREDIT TRANSFERRED		(515.	66)
04-15-2004	CREDIT TRANSFERRED		(553.	17)
04-15-2004	CREDIT TRANSFERRED		(529.	18)
06-14-2004	OVERPAID CREDIT APPLIED		32.	91
10-04-2004	REFUND		(3,172.	30)
10-04-2004	INTEREST DUE TAXPAYER		60.	84

FORM 4340 (REV. 01-2002)

PAGE 1

**	Case 2:06-cv-	11753-NGE-RSW	Document 6-3	Filed 05/	23/2006	Page 26 of 37	
	CERTIFICATE	OF ASSÉSSMENTS	S, PAYMENTS,	AND OTHE.	SPECIF	IED MATTERS	
PETER E	E & DOREEN M	HENDRICKSON	EIN/S	SSN:			
TYPE OF	L040 TA	INDIVIDUAL INCO X PERIOD: DEC	2003				
BALANCE	<b>=</b>	0.00					
TO THE AND ALL PAYMENT RECORDS FURTHER APPEAR	TAXES SPECI L ASSESSMENT TS, AND THE S OF THIS OF R CERTIFY TH IN THE OFFI	FIED IS A TRUE S, ABATEMENTS, ASSESSED BALAN FICE AS OF THE	AND COMPLETE CREDITS, REF CE RELATING ACCOUNT STAT PECIFIED MAT	TRANSCRIUNDS, ANI THERETO, A TUS DATE A TERS SET I	IPT FOR D ADVANC AS DISCL ARE SHOW FORTH IN	N THEREIN. I This transcript	D, D
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LOCATIO	DN: INTERNAL	REVENUE SERVI	CE				
	ACCOUNT	STATUS DATE 02	/09/2006				
FORM 43	340 (REV. 0	1-2002)		PAGE :	2		

#### **Affidavit**

I am Doreen M. Hendrickson, a woman born, and presently living, in Michigan; older than the age of majority; and of sound mind.

I have personal knowledge of the facts set forth in this affidavit, and, if called upon to testify to them, could and would do so competently. Further, I certify that the accompanying copies of the sworn 2002 and 2003 tax return instruments of Peter and Doreen Hendrickson, themselves affidavits and to be considered as such for the purposes of the reply to Plaintiff's Motion for Summary Judgment to which they are attached, are true copies of the original filed documents; and that the accompanying copies of the United States of America Department of Treasury Certificates of Assessment for Peter E. and Doreen M. Hendrickson for the years 2002 and 2003 are true copies of the documents of the same description entered into evidence by the Plaintiff in the instant action.

I am a private-sector, non-federally-connected individual.

I have no ongoing administrative relationship of any kind with the federal government, and had none during 2002 or 2003.

No federal income tax was or is due and owing from Peter E. Hendrickson or myself for the years 2002 and 2003 except as is indicated on the tax returns he and I filed for those years.

The federal refunds claimed by Peter E. Hendrickson and myself for 2002 and 2003 did not exceed by one penny the amounts withheld during those years, and properly reflected the amount of tax assessed, due and owing.

Upon information and belief, Kim Halbrook is not a CPA, a lawyer, or in any other way qualified to offer even an educated guess as to whether Peter Hendrickson was an "employee" of Personnel Management, Inc. as that term is defined in the income tax laws; that Personnel Management, Inc. is or was an "employer" as that term is defined in the income tax laws; that Peter Hendrickson was ever in "employment" as that term is defined in the income tax laws.

Upon information and belief, Shauna Henline has no personal knowledge whatsoever as to the nature of affiant's relationship with Una E. Dworkin, the nature or legal status of her receipts, or anything else relevant to the instant action.

Upon information and belief, "Terry Grant" has no personal knowledge whatsoever as to the nature of affiant's relationship with Una E. Dworkin, the nature or legal status of her receipts, or anything else relevant to the instant action.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this 7th day of September, 2006.

Doreen M. Hendrickson

§ 9 M A M Y |

Department of the Treasury-Internal Revenue Service

### anded II C. Individual Income Tay Reti

i.				Amenaea U.S.					Keti	urn	OMID	NO. 1343-0091
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1 111			name and initial	year ► 2002, or fis	cal year	Last nam					Your coni	al security number
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or type	If a		return, spouse's first	t name and initial		Last nam		Sull end (18)			Snorma's s	ocial security eventur
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C		-		complete this line. Note.			_	•				
		-		gle Married filing jointly		Varried filii	-					Qualifying widow(er)
				gle Married filing jointly		Married fili	ng sep	arately	☐ He	ad of hous	sehold" []	Qualifying widow(er)
	" If t	ne qu	alifying person is a	child but not your dependent	, see page	2.			γ			
		1	Jse Part II on	the back to explain an	y change	es		A. Original am			hange— f increase	C.
Name (Marcoland						and the state of t	Υ	as previously as (see page		نہ (deci	rease)	amount
			Income and I	Deductions (see page	s 2-6)						in Part II	
	1	Adji	usted gross inco	ome (see page 3)			1	20%		58.7	28/20	58,80100
	2	Iten	nized deductions	s or standard deduction (	see page	3).	2	7850	723			7850
	3		tract line 2 from				3	17830		587	***************************************	50,35!
	4	Exe	mptions. If char	nging, fill in Parts I and II	on the ba	ck .	4	6000	0.2	600	50 55	1200022
	5			obtract line 4 from line 3	<u> </u>		5	Z13830	) " /	-		72,95: 22
ity	6	Tax	(see page 4). M	lethod used in col. $C\mathfrak{D}$	سيناتك		6			52.4	16 2 3	5246 35
Tax Liability	7	Cre	dits (see page 4	1)			7	ļ				
=	8	Sub	tract line 7 from li	ine 6. Enter the result but no	t less than	zero .	8					724600
×	9		er taxes (see pa				9			<del> </del>		
1	10	Tota	al tax. Add lines	8 and 9	<del></del>	· · · · · · · · · · · · · · · · · · ·	10	2		<u>501</u>	13 D	524,30
	11	Fed	eral income tax	withheld and excess soc	cial securi	ty and			34			~ 00
		tier	1 RRTA tax with	hheld. If changing, see pa	age 4		11	10152	2	45	10 35	564220
	12	Esti	mated tax paym	nents, including amount ap	oplied from	n prior						
Payments		yea	r's return				12					MANAGEMENT OF THE PARTY OF THE
<u>a</u>	13	E.ar	ned income crea	dit (EIC)			13					
چ	14	Add	litional child tax	credit from Form 8812			14					
٩	15	Cre	dits from Form	2439, Form 4136, or Fore	n 8885		15	<u> </u>				
	16	Am	ount paid with re	quest for extension of time	e to file (se	e page 4	) .				16	
				with original return plus			i afte	it was filed			17	<u> </u>
	18	lota	al payments. Ad	ld lines 11 through 17 in		-	<del></del>	· · · · · · · · · · · · · · · · · · ·	<u> </u>	<del></del>	18	564200
				Refund or An	rount Yo	u Owe						3.22 85
				y, as shown on original re	eturn or a	s previou	rsiy ad	djusted by th	ne IRS	•	. 19	10.152
	20			m line 18 (see page 5)							20	451020
	21		-	f line 10, column C, is mor				difference an	d see	page 5	21	97561
	22			C, is less than line 20, e		lifference	<b>;</b>		•		22	<del></del>
	23 24			you want refunded to you				i i	ŗ,	•	23	
<u> </u>		AH		you want applied to your perjury, I declare that I have filed			nated			had cature		
	gn		and statements, an	id to the best of my knowledge on all information of which the p	and belief, t	his amend	ed retu	m is the, come	ct, and	complete.	Declaration	of preparer (other than
	ere a retur	<b>~</b> 2	A /	on an information of which the p	reparer nas	ану кломе	eoge.	6	·A	1. 1	1 ti	* .
	page		NIKOO	CR-THIRESS	16.5	24-10	is.	KNIDOLI	Q Th	110	10/ckt	46/24/10
	rpacor		Your signature		Date			Spouse's signat	ure If a	ioint return	hath must s	idn. Date
, 00			Preparer's	<del></del>		·	Date	T			<del></del>	er's SSN or PTIN
Pa	id		signature						Check if self-emp		7	w J JOH G FIHT
	pare		Firm's name (or				<u> </u>		<del></del>		<del>.</del>	
Us	e Only	y	yours if self-employ address, and ZIP c	/ed),				<del> </del>	Elf			
*****			GUILESS, GIRL SIP C						( Ph	one no. (	1	
				[		No. 11360	L	1	, <i>1</i>	2	Form 1	D40X (Rev. 11-2003)
				Government				0.1	OF	1		

	1040X (Rev. 11-2003)	·	-				Page Z
Pa	If you are <b>not ch</b> If claiming <b>more</b>				A. Original number of exemptions reported or as previously adjusted	B. Net cha	C. Correct number of exemptions
25	Yourself and spo	use		25	2	8.	2
	•		else) can claim you as a dependent			1	
			ot claim an exemption for yourself.				
26	-	children who lived	, ,	26	Ð	2	1 2
27	_		ot live with you due to divorce or		······································		
/	separation			27	Ð	0	1 2
28	Other dependent			28	87	5	
29	•	exemptions. Add li	nes 25 through 28	29	2	2	4
30		•	med on line 29 by the amount listed			1	
•			g. Enter the result here and on line 4.				
	•		But see the instructions for				
	Tax	Exemption	line 4 on page 3 if the				
	<u>year</u>	amount	amount on line 1 is over:				
	2003 2 <b>0</b> 02	\$3,050 3,000	\$104,625 103,000				
	2001	2,900	99,725				10
	2000	2,800	96,700	30			12000
31	Dependents (chil	dren and other) no	t claimed on original (or adjusted)	return:			No. of your
	о орожио (а						children on line 31 who:
			(b) Dependent's social	(6) (		/ if qualifying	• lived with
	(a) First name	Last nar	security number		netrin to you   CIMP	for child tax t (see page 5)	you >
7	(a) First home		ne -	<b>-</b>	<del></del>		• did not live
		H			<u> </u>	井	with you due to
		Н		<u> </u>	20	-	divorce or separation (see
						-	page 5).
						井	Dependents
				<del></del>		닠	on line 31 not
Dα	till Explanation	on of Changes t	o Income, Deductions, and C	rodite			entered above ▶
f th	change. At information attachmen change relates t	tach only the sup n, your Form 1040 ts.	the front of the form for each is porting forms and schedules for X may be returned. Be sure to in credit occurred. See page 2 of the page 2 o	the iter nclude y	ms changed. I your name and dit carryback.	f you do no d social sec attach the s	ot attach the require curity number on an
•	Adding and	ounts sindo	rduress, as dictate	16	Fed Jud	no Alan	Cy Falm in 1
2	A STATE OF THE PARTY OF THE PAR	CATHO, MICE	, waters, as dicine	u uy	THE TANK	45 14011	cy communa
). <sub>1</sub>	Amount 1	hanord unc	lerduress, as dictat	ed h	, ted di	idae Ni	anev Edmun
F.	11111	oendent c	hildren.	,	<u> </u>	J	Micy Commission
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•		dictate	, , , , , , , , , , , , , , , , , , , ,	,			J
			09 100,0000,0140	<u> </u>	Lancare	۲۵	
						4 · · · · · · · · · · · · · · · · · ·	<del></del>
Pal	t III President	ial Election Cam	paign Fund. Checking below	will no	t increase voi	ır tax or m	educe vour refund
			o the fund but now want to, checi				
ı yı			o and raine but now werk to, theth	N HOID			
a	oint return and yo	our spouse did not	previously want \$3 to go to the fu	ind but	now wants to,	check here	·

P 2 of 7

### \*STATEMENT CONTROLLING SIGNATURES ON FORM 1040X FOR 2002 BEARING THE NAMES OF PETER ERIC HENDRICKSON AND/OR DOREEN MARIE HENDRICKSON

The documents to which this statement is constructively attached, being any and all federal taxrelated documents concerning the year 2002 completed in 2010 and bearing the signatures of and/or other identifying information regarding. Peter Eric Hendrickson and/or Doreen Marie Hendrickson, together with all documents associated or associable therewith, are completed under duress and protest and, as dictated, being contrary to law, are categorically not believed by us. The fact that figures appear in certain places on those documents, and are associated with certain labels or designations, and the fact that any figures appear on the forms at all, and/or that our names and/or identifying information appear on those forms, and/or that our signatures appear on those forms is solely because we have been coerced under threat of imprisonment into putting figures we believe are not indicated by law, and which are maliciously specified by other persons into those places and onto those documents.

The association of any form created by any other person such as a "Form W-2" or "Form 1099. MISC", or the contents of such forms, with any document described above is not an endorsement or adoption by us of anything said on such form, and in fact, we specifically and categorically deny the accuracy of anything said on such forms.

Nothing appearing on any document described above is to be taken as an admission of the receipt of any "income", "wages" "self-employment income", "non-employee compensation", "net earnings from self-employment" or anything else taxable or reflecting the conduct of any taxable activities, or happening of any taxable event under any other name, label or characterization-. It is not such an admission, invitation or authorization.

Due to police-state threats, the signatures or even mere provision of on any documents described above/attached hereto are null and void except as qualified by all provisions and declarations of this statement.

It is especially hypocritical and insulting to all law-abiding Americans that the aforementioned Stalinist coercive diktat, demanding that we sign a document we don't believe in, was crafted by minions of Treasury Secretary Timothy Geithner, a known, serial, never-prosecuted income tax cheat of the most brazen sort.

P.30+7

### 2:06-cv-11753-NGE-RSW Doc # 79-2 Filed 10/25/10 Pg 1 of 9 Pg ID 720

& Form	[](	Amended U.S. Individual	Inc	ome Tax Re	turn	ОМ	B No. 1545-0091
_		remoer 2003) ► See separate institum is for calendar year ► ②○○3, or fiscal year ended	truction	ons.		<u> </u>	
	1 Ye	Wir first name and initial				,	
or tono	2 (	Otor E.	1	المارية المارية		Your so	cial security number
Ę		a joint return, spouse's first name and initial Last na		ickson			
*	11	\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \		ickson			ity number
T.	Ho	me address (no. and street) or P.O. box if mail is not delivered to your home	or				
9	12	.32 Oriole St.		Apt.	no.	PROTE II	umber
Diago	Ç	y, town or post office, state, and ZIP code. If you have a foreign address, see page 2	of the ir	estructions		-	1
		emmerce Two MI 48387	O7 (184, 0	CHI GODGIS.		For Pap Notice	erwork Reduction Act see page 8.
A		e name or address shown above is different from that shown of					page s.
В	Has	the original return been changed or audited by the IRS or have	on the	original return, ch	eck here		
C	Filin	g status. Be sure to complete this line. <b>Note.</b> You cannot char	e you	m joint to concret	it will be		☐ Yes 💹 No
	On o	riginal return ▶ ☐ Single 🎇 Married filing jointly ☐ Married fil	ige m	on joint to separat	e returns	arter the	due date.
	On t	his return > Single Married filing jointly	inn cor		ead of hous	ehold L	Qualifying widow(er)
	* If t	he qualifying person is a child but not your dependent, see page 2.	wig set	Daracely L3 F1	ac or nous	senold [_	Qualifying widow(er)
		Use Part II on the back to explain any changes	***************************************	A 001-1-1	B. Net c	hange	
- makes as a		ose rait in on the back to explain any changes		A. Original amount or as previously adjusted	amount of	fincrease	C. amount
		Income and Deductions (see pages 2-6)	T	(see page 2)	or (decr explain i	ease)— n Part II	
	1	Adjusted gross income (see page 3)	1	286.14		303 21	59.5.890
	2	Itemized deductions or standard deduction (see page 3)	2	353031			3500 81
	3	Subtract line 2 from line 1	3	(92:3 86)			50.0895
	4 5	Exemptions. If changing, fill in Parts I and II on the back	4	61000	61	0000	1220000
	1	Taxable income. Subtract line 4 from line 3	5	28349		OS II	278897
€	6	Tax (see page 4). Method used in col. C. Tables	6	2834	495	266	498100
de	7	Credits (see page 4)	7				
Tax Liability	8	Subtract line 7 from line 6. Enter the result but not less than zero .	8				423,23
ã	10	Other taxes (see page 4) Total tax. Add lines 8 and 9	9	.,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	41	0133	40177
	-		10				523237
1	''	Federal income tax withheld and excess social security and tier 1 RRTA tax withheld. If changing, see page 4	11	10, 35, 20	w/	2 78	
	12	Estimated tax payments, including amount applied from prior	<del></del>	10,3:0		- J 15	5620
ম		year's return	12				
Payments	13	Earned income credit (EIC)	13				
aye	14	Additional child tax credit from Form 8812	14		·		
ă.	15	Credits from Form 2439, Form 4136, or Form 8885	15				
	16	Amount paid with request for extension of time to file (see page 4)	)		<del></del>	16	
	1/	Amount of tax paid with original return plus additional tax paid	i after	it was filed	•	17	
	18	Total payments. Add lines 11 through 17 in column C		<u> </u>		18	5620 28
		Refund or Amount You Owe					
	19	Overpayment, if any, as shown on original return or as previou	sly ad	ljusted by the IRS		19	10.222 20
	20	Subtract line 19 from line 18 (see page 5)				20	4607 3
	21 22	Amount you owe. If line 10, column C, is more than line 20, enter	the c	lifference and see p	page 5 .	21	384032
	23	If line 10, column C, is less than line 20, enter the difference Amount of line 22 you want <b>refunded to you</b>				22	
	24	Amount of line 22 year want amake at an	ated	in lail		23	
Sig	gn	Linder penalties of periors I declare that I have the			ad con um im		
Hè	re	and statements, and to the best of my knowledge and belief, this amende taxpayer) is based on all information of which the preparer has any knowledge.	d retun	is true, correct, and c	omplete. De	ciousig acc	ompanying schedules preparer tother than
	return	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	-9	1) a	11.	4 13	€
Keep	page 2. a copy	for NUMBER DUKESS 16-24-10	1	NBERT	bilr	FEC	16/2# 1 in
OUR	record	Your signature Date	7	pouse's signature. If a jo	int fetum, be	th must sig	n. Date
<sup>D</sup> aic	i	Preparer's signature	Date			<u> </u>	's SSN or PTIN
	arer's	Firm's name (or		Check if self-empl	oyed 🔲		
Jse	Only	yours if self-employed),		EIN		;	
	***************************************	address, and ZIP code		Pho	ne no. (	_1	
		Government Cat. No. 11360L			-	Form 10	40X (Rev. 11-2003)
				plot	9		(com i recod)
		Exhibit		101	L		

orm 1040X (Rev. 11-2003)								Page 2
•	anging your exeme exemptions, com			A. Origin number exemptio reported or previous adjuster	of ns ras ly	B. Net cl	nange	C. Correct number of exemptions
5 Yourself and spou	rse		25	2	***************************************	0		2
Caution. If your pa	rents (or someone	else) can claim you as a dependent of claim an exemption for yourself.		<u> </u>		2		2
S Your dependent of	children who lived	with you	26	B				
<ul> <li>Your dependent of separation</li> </ul>	children who did n	ot live with you due to divorce or	27					
3 Other dependents			28 29	<del>                                     </del>	<del></del>	2		
Multiply the numbe	r of exemptions clai	nes 25 through 28	29	/_	<del></del>			<del></del>
below for the tax ye  Tax  year	ear you are amendin  Exemption  amount	g. Enter the result here and on line 4.  But see the instructions for line 4 on page 3 if the amount on line 1 is over:						
2003 2002 2001 2000	\$3,050 3,000 2,900 2,800	\$104,625 103,000 99,725 96,700	30	6100	<b>O</b>	610	0	12,200
1 Dependents (chik	dren and other) no	t claimed on original (or adjusted)		:		1	No. of childre	
(a) First name	Last na	(b) Dependent's social security number		Dependent's onship to you	child	if qualifying for child tax (see page 5)	31 who • lived you	
K	E III		1	ughter en			with yo divorce	not live ou due to e or tion (see
PROCESSA AND AND AND AND AND AND AND AND AND AN							page 5	5)
			<del></del>		<del> </del>	<u> </u>	on line	31 not
art II Explanation	on of Changes t	o Income, Deductions, and C	redits		1		GIRCIE	d doore > L
change. Att	tach only the sup 1, your Form 1040	the front of the form for each it porting forms and schedules for X may be returned. Be sure to in	the ite	ems chang	ed. If	you do r	iot atta	ich the required
the change relates to at shows the year in	o a net operating which the loss or	loss carryback or a general busine credit occurred. See page 2 of the	ess cre	dit carryba uctions. Als	ck, a o, ct	ttach the eck here	schedu	ile or form
. Adding am	ounts, und	erduress, as dictat	edi	y Juo	ge.	Nancy	Edi	nunds.
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,6,9 xII. A	)	anged, under dures Judge Nancy Edm	•		sin د	g figu	ires	dictated
		npaign Fund. Checking below			you	r tax or	reduce	your refund.
		o the fund but now want to, check previously want \$3 to go to the fu			s to,	check he	re .	··· <b>·</b> 日

P. 2 of 9

## \*STATEMENT CONTROLLING SIGNATURES ON FORM 1040X FOR 2003 BEARING THE NAMES OF PETER ERIC HENDRICKSON AND/OR DOREEN MARIE HENDRICKSON

The documents to which this statement is constructively attached, being any and all federal taxrelated documents concerning the year 2003 completed in 2010 and bearing the signatures of,
and/or other identifying information regarding, Peter Eric Hendrickson and/or Doreen Marie
Hendrickson, together with all documents associated or associable therewith, are completed under
duress and protest and, as dictated, being contrary to law, are categorically not believed by us. The
fact that figures appear in certain places on those documents, and are associated with certain labels
or designations, and the fact that any figures appear on the forms at all, and/or that our names and/or
identifying information appear on those forms, and/or that our signatures appear on those forms is
solely because we have been coerced under threat of imprisonment into putting figures we believe
are not indicated by law, and which are maliciously specified by other persons into those places and
onto those documents.

The association of any form created by any other person such as a "Form W-2" or "Form 1099-MISC", or the contents of such forms, with any document described above is not an endorsement or adoption by us of anything said on such form, and in fact, we specifically and categorically deny the accuracy of anything said on such forms.

Nothing appearing on any document described above is to be taken as an admission of the receipt of any "income", "wages" "self-employment income", "non-employee compensation", "net earnings from self-employment" or anything else taxable or reflecting the conduct of any taxable activities, or happening of any taxable event under any other name, label or characterization— It is not such an admission, invitation or authorization.

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It is especially hypocritical and insulting to all law-abiding Americans that the aforementioned Stalinist coercive diktat, demanding that we sign a document we don't believe in, was crafted by minions of Treasury Secretary Timothy Geithner, a known, serial, never-prosecuted income tax cheat of the most brazen sort.

eter Eric Hendrickson

Date

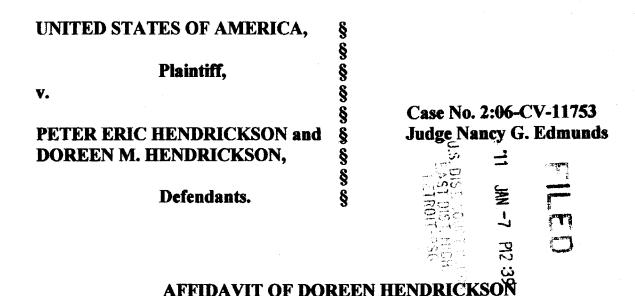
<u>\_\_\_\_</u>

Revnold Hendrickson Jr. (witness)

oreen Marie Hendrickson Date

hilip Richard Lucas (witness)

## IN THE UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION



Pursuant to the Order of the Court filed December 17, 2010 (Docket #83), I, Doreen M. Hendrickson, submit the following affidavit, prepared concurrently with and appended to the

returns that are the subject of that order.

- 1. I am a defendant in the above-captioned matter, appearing pro se.
- I affirm these matters to be true of my personal knowledge and, if called to do so,
   could and would competently testify thereto.
- 3. Judge Nancy Edmunds of this Court issued orders on May 2, 2010 and June 10, 2010 and again on December 17, 2010 that my husband, Peter E. Hendrickson, and I prepare and "file" returns that "amend" the original returns for 2002 and 2003 that we filed on August 14, 2003 and April 8, 2004, respectively, and which were duly processed by the IRS.

- 4. We signed jurats on those original returns because we believed them to be true, correct and complete to the best of our knowledge on the date of signing.
- 5. I affirm that the numbers we reported on those returns are correct, that those returns remain true, correct and complete as to our testimony regarding the extent of any privileged or taxable activities for those years, and that they are not in need of any amendment. We have no need or desire to amend them and would not do so unless coerced or under duress.
- 6. True and correct copies of IRS Official Certificates of Assessment, attached as Exhibit A hereto, show we have no tax indebtedness to the U.S. government for tax years 2002 and 2003. These certificates show the dates when our original returns were filed and our overpayments credited.
- 7. Judge Edmunds has ordered us to adopt and assert, without rebuttal or objection, amounts reported on W-2s and 1099s by third party payers that we already corrected in rebutting instruments in our original returns, and to refrain from reporting any income figures from our own personal knowledge that differ from those erroneous third-party assertions.
- 8. Judge Edmunds has threatened that if we do not prepare these returns with the numbers and third-party testimony dictated by the government and the court, or if we do prepare them but "undermine the verity of the returns" by repudiating our signatures or writing "UNDER DURESS" over our signatures, we will be in contempt of the judge's order and go to jail.
- 9. I attended a hearing regarding the government's motion for contempt on December 15, 2010 in which I testified. I was not told how long I would be given to speak. I read my statement because I was extremely nervous. Judge Edmunds, however, did not allow me to read into the record all of my prepared statement of my testimony, attached hereto in its

entirety as Exhibit B; further, she interrupted me three times and ordered me to "sit down" before I was finished.

- 10. As soon as I began reading my statement into the record, Judge Edmunds covered her face with her hands, sighed, rolled her eyes, and during my testimony sat with her head in her hand and elbow on her bench, appearing to be bored and annoyed. She asked me no questions about my statement, and did not appear to be giving any consideration to what I was saying.
- 11. Judge Edmunds stated at a hearing on June 10, 2010 the following, which language I quoted to the judge at the December 15 hearing:

"If you want to file something along with your return that states that you disagree with having to file it and that you disagree that they're wages and you disagree that there are taxes owed on it, append whatever you want to your return..."

Hearing Transcript, 6/10/10, p. 7, lines 3-6.

"I'm giving you the option of filing these amended returns with an explanatory statement that you disagree with it. You may do that."

Hearing Transcript, 6/10/10, p. 8, Lines 12-14.

"I am giving you the option of filing an affidavit or anything you want with your tax return..."

Hearing Transcript, 6/10/10, p. 9, Lines 10-11.

12. At the hearing on December 15, 2010, the judge stated that what she had really said in the June hearing was that "with your tax return" meant "a separate filing" from the tax return: "That means a separate filing, and that's what I said, a separate filing" (Hearing Transcript, 12/17/10, p. 13, lines 5-6 (see 12:16 – 13:12)), even though the transcript shows she used the words "with" and "along with" and "append to" and not the word "separate."

- 13. Judge Edmunds then stated in open court, in front of strangers and my children (including my minor son), the threat "you're going to jail" three times on pp. 13-14.
- 14. The judge's words and demeanor, and her shouting, caused me to feel intimidated, frightened, nervous, confused, depressed and profoundly upset.
- 15. The "amended" returns we filed in response to the two previous orders of the court, Docket Nos. 34 and 68, complied not only with those orders but also with the option given to us by the judge at the June 10 hearing.
- 16. In the Order of December 17, 2010, the judge withdrew that "option" she had given us at the June hearing and ordered us to file "valid" tax returns, "in usable form, that in no way undermine the verity of the returns, by January 7, 2011" or be found "in further contempt."
- have no verity, I am confused by this order and do not know how to comply with it without perjuring myself and exposing myself to civil penalties, prosecution and possible imprisonment. I perceive the judge's words and orders in this matter to be overt threats to my freedom should I fail to adopt the testimony of another as my own and file with the IRS and Department of Justice documents I know to be false and perjurous in order to create the appearance of a debt owed to the government.
- 18. For this reason, and because I am under duress, I submit my "amended" returns for the years 2002 and 2003, a true and authentic copy of which are attached hereto as Exhibit C, per the specifications dictated to me by the government and the court. I do so under extreme protest and with a reservation of all my rights under Constitutional, common and statutory law. I do so in spite of my firm belief that the judge has suborned perjury in violation of 18 U.S.C.

§1622 and violated the provisions of the criminal statute against procuring false returns at 26 U.S.C. §7206(2), because I am afraid of being thrown in jail and deprived of care for and custody of my minor son.

- 19. I am submitting these "amended" returns with the filing status Married Filing Separately, and do not speak for my husband nor file returns on his behalf.
- 20. I further disclaim these coerced amended returns because they are wholly false and fraudulent and not the product of my free will, but rather a product of the imposition of the power of the government and court over my civil liberties and person. For the same reasons, I further give notice that I disclaim any responsibility for these instruments and deny any debt or obligation that might be alleged to be created thereby.
- 21. I am the master of my own signature. The fact that my signature and other identifying information appears on these "amended" tax returns for 2002 and 2003 (a copy of which is attached hereto as Exhibit C), being a result of duress and coercion, does not in any way represent my endorsement of the truth of the contents of those documents, which contents I categorically deny as being true, correct, or indicated by law. My signature, along with figures and other information, is only placed on these forms under duress and coercion, and as such is meant in compliance of a court order, and not in support of the verity of the contents thereof.
- 22. If any form created by any other person such as a "Form W-2" or "Form 1099," or the contents of such forms, is associated with any document described above, I do not endorse or adopt anything said on such form and, in fact, I specifically and categorically deny the accuracy of anything said on such forms.

23. I do not mean for the filing or submission of these "amended" returns for 2002 and 2003 to be taken as an admission of the receipt of any "income," "wages," "self-employment income," "non-employee compensation," "net earnings from self-employment" or anything else taxable or reflecting the conduct of any taxable activities, or happening of any taxable event under any other name, label or characterization. I do not so admit or report of my own free will.

I swear that the foregoing is true and correct to the best of my knowledge.

Executed on January 7, 2011.

Doreen M. Hendrickson Defendant Pro Se

Subscribed and sworn to or

affirmed before me this date:

My Commission Expires:

02/02/2015

seal

2.00-CV-11/33-NGE-R3VV D0	00 # 86 Filed 01/07/11 Pg 22	2 01 25 Pg 1D 794
Amended U.S.	t of the Treesury—Internal Revenue Service Individual Income Tax Re See separate Instructions.	OMB No. 1545-0074
four first name and middle initial	Your lest name	Your social security number
Dorcen M	Hendrickson	
f a joint return, your spouse's first name and middle initial	Your spouse's last name	Your spouse's bodiel accordy muchan
four current home address (number and street). If you have a P.O. 232 Oriole ST		no. Your phone number
our oily, town or post office, state, and ZIP code. If you have a for DM INSTEE HAS MIT 483 Will fillers must complete linds A, B, and C.	reign address, see page 5 of instructions.	
A Amended return filing status. You must check or change your filing status from joint to separate return Single	ne box even if you are not changing you  ms after the due date.  Married filing separately the qualifying person is a child but not your d	
B This return is for calendar year 2009 2000 Other year. Enter one: calendar year 2002	08 ☐ 2007 ☐ 2006 Or fiscal year (month and year ended):	
See Affidavit of Dore in U.S. District Court E Case No. 2:06-cv-11	elow, tell us why you are filing Form 104 een Hendrickson fil Eastern District of 1	led 1/17/2011

Adjusted gross income (see page 6 of instructions). If net operating loss (NOL) carryback is included, check here    ! Itemized deductions or standard deduction (see page 6 of instructions)    Subtract line 2 from line 1    Exemptions. If changing, complete the Exemptions section on the back and enter the amount from   line 30 (see page 6 of instructions)    Taxable income. Subtract line 4 from line 3    Tax (see page 7 of Instructions). Enter method used to figure tax:    Credits (see page 8 of instructions). If general business credit carryback is included, check here    Resultant line 7 from line 6. If the result is zero or less, enter -0-    Other taxes (see page 8 of instructions)    Other taxes (see page 8 of instructions)    Total tax. Add lines 8 and 9    **ayments**  Total amount tax withheld and excess social security and tier 1 RRTA tax withheld (if changing, see page 8 of instructions)    Estimated tax payments, including amount applied from prior year's return (see page 8 of instructions)    Refundable credits from   Schedule M or Form(s)    Standard Total amount peid with request for extension of time to file, tax paid with original return, and additional tax peld after return was filed (see page 9 of instructions)    Total payments. Add lines 11 through 15    Total payments. Add lines 2 payments. Add lines 11 through 15    Total payments. Add lines 2 payments. Add lines 11 through 15    Total payments. Add lines 2 payments. Add lines 2 payments. Add lines 3 payments 2 payments 2 payments 2 payments 2 payments 2 payments 2 payments 3 payment	3773-
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20 If line 10 is less than line 18 enter the difference (see page 9 of instructions)	
24 Amount of line 20 year want actual de day and this is the amount overpaid on this return	
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22 Amount or line 20 you want applied to your (enter year): estimated tax 22 Complete and stan this	

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,	mptions						<del></del>	
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• Inc	creasing or decreasing the n creasing or decreasing the e	exemption amount for i	(personal and housing india	u dependents) d viduals disolace	daimed on line 6d of the re id by Hurricana Katrina or	a Michae	are amendir	ng, or ~
	Form 1040 or Form 1040A						Correct Num	aber er
23	Yourself and apouse. Caution	. If someone can claim ye	ou as a depen	dent. vou cannot	ciaim an exemption for yours	w 23	72	<del>-</del>
4	Long debeudeut cuildueu A	who lived with you $\cdot$ .				. 24		
25	Your dependent children w	vho did not live with yo	u due to div	orce or separati	ion	. 25		
26 27	Other dependents	on Anial linear Off Manager				. 26		
28		is. Add lines 23 throug motions deimed on th	M 26			. 27		
	instructions for line 28 for t	the year you are amend	ding (see par	exemption amo se 10 of instruct	tions)	. 28		
29	If you are claiming an exem	ption amount for housi	na individua	s displaced by	Humicane Katrina, enter th			
	amount from Form 8914, ilm	18 6 for 2006. If you are	daiming an	exemption amo	ount for housing individuals	.		
90	displaced by a Midwestern	disaster, enter the amo	ount from Fo	m 8914, line 21	for 2008, or line 6 for 2009	29		
31	Add lines 28 and 29. Enter List ALL dependents (children	the result here and on and others) claimed on the	line 4 on pa	ge 1 of this form	n	. 30		···
		and only offering of the	a distribution	ROFF II HIGH WART	4 dependents, see page 10 ii			
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or for	rms and publications, visit IRS o	on the Web at www.irs.go	) <b>V</b> .			Form 10	40X (Rev. 01	-2010)

2:06-cv-11753-NGE-RSW Doc # 86 Filed 01/07/11 Pg 24 of 25 Pg ID 796

	<b>1040X</b> Jenuery 2010)		OMB No. 1545-0074				
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С	See Affi in U.S.	hanges. In the space provided below Fidavit of Doresi District Court Ea Uo. 2:06-CV-117	n Hendrickso stern District	n filed	1/0 higai	7/2011	
Inc	ome and Deduct	ions		······································	<del></del>	Correct Amount	
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_		ns or standard deduction (see page	6 of instructions)		[	2 4750-	
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	17	
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		is form on Page 2.
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Check If self-employed

Phone number

For forms and publications, visit IRS on the Web at www.irs.gov.

Preparer's SSN or PTIN

Form 1040X (Rev. 01-2010)

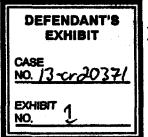
## AFFIDAVIT OF DOREEN HENDRICKSON

- 1. I affirm these matters to be true of my personal knowledge and, if called to do so, could and would competently testify thereto.
- 2. I do not believe that "only federal, state or local government workers are liable for the payment of federal income tax or subject to the withholding of federal income, social security and Medicare taxes from their wages under the internal revenue laws".
- 3. I have never based the content I provided on any tax-related instrument or the conclusions reflected therein on the notion that "only federal, state or local government workers are liable for the payment of federal income tax or subject to the withholding of federal income, social security and Medicare taxes from their wages under the internal revenue laws.
- 4. The content to which I attested as being what I know and believe to be true, complete and correct on the tax-related documents I freely signed concerning 2002, 2003 and 2008, and the conclusions reflected therein, are informed by my awareness that the United States Constitution prohibits the imposition of federal capitations and other direct taxes other than by the mechanism of apportionment at Article 1, Section 2, Clause 3 and Article 1, Section 9, Clause 4.
- 5. That content and those conclusions are further informed by my awareness that the United States Supreme Court and other authorities have repeatedly and consistently declared that the rules laid down in Article 1, Section 2, Clause 3 and Article 1, Section 9, Clause 4 are unaffected, unrevoked and unrepealed by the 16th Amendment to the US Constitution or any other, as in the following instances:

"We are of opinion, however, that the confusion is not inherent, but rather arises from the [erroneous assumption] that the 16th Amendment provides for a hitherto unknown power of taxation; that is, a power to levy an income tax which, although direct, should not be subject to the regulation of apportionment applicable to all other direct taxes." [an error which is obvious, since it would cause] "...one provision of the Constitution [to] destroy another; that is, [it] would result in bringing the provisions of the Amendment [supposedly] exempting a direct tax from apportionment into irreconcilable conflict with the general requirement that all direct taxes be apportioned."

Brushaber v. Union Pacific RR Co., 240 U.S. 1 (1916)

"[T]he amendment made it possible to bring investment income within the scope of the general income-tax law, but did not change the character of the tax. It is still fundamentally an excise or



ury Department legislative draftsman F. Morse Hubbard summarizing the ruling for ess in testimony in 1943 (House Congressional Record, March 27, 1943, p. 2580);

"The Amendment, the [Supreme] court said [in its unanimous ruling in <u>Brushaber v. Union Pacific RR Co.</u>, 240 U.S. 1 (1916)], judged by the purpose for which it was passed, does not treat income taxes as direct taxes but simply removed the ground which led to their being considered as such in the Pollock case, namely, the source of the income. Therefore, they are again to be classified in the class of indirect taxes to which they by nature belong."

Cornell Law Quarterly, 1 Cornell L. Q. 298 (1915-16);

"The Supreme Court, in a decision written by Chief Justice White, first noted that the Sixteenth Amendment did not authorize any new type of tax, nor did it repeal or revoke the tax clauses of Article I of the Constitution, quoted above. Direct taxes were, notwithstanding the advent of the Sixteenth Amendment, still subject to the rule of apportionment..."

Legislative Attorney of the American Law Division of the Library of Congress Howard M. Zaritsky in his 1979 Report No. 80-19A, entitled 'Some Constitutional Questions Regarding the Federal Income Tax Laws'.

"The Sixteenth Amendment, although referred to in argument, has no real bearing and may be put out of view. As pointed out in recent decisions, it does not extend the taxing power to new or excepted subjects..."

Peck v. Lowe, 247 U.S. 165 (1918);

"[T]he settled doctrine is that the Sixteenth Amendment confers no power upon Congress to define and tax as income without apportionment something which theretofore could not have been properly regarded as income."

Taft v. Bowers, 278 US 470, 481 (1929).

"[T]he sole purpose of the Sixteenth Amendment was to remove the apportionment requirement for whichever incomes were otherwise taxable. 45 Cong. Rec. 2245-2246 (1910); id. at 2539; see also <u>Brushaber v. Union Pacific R. Co.</u>, 240 U. S. 1, 240 U. S. 17-18 (1916)"
So. Carolina v. Baker, 485 U.S. 505 (1988).

- 6. That content and those conclusions are further informed by my awareness that Constitutional "capitations", which remain imposable only by the mechanism of apportionment, have been acknowledged by the United States Supreme Court to be what Adam Smith described as such in his 1776 treatise, 'An Inquiry into the Nature and Causes of the Wealth of Nations':
  - "..[Secretary of the Treasury] Albert Gallatin, in his Sketch of the Finances of the United States, published in November, 1796, said: 'The most generally received opinion, however, is that, by direct taxes in the constitution, those are meant which are raised on the capital or revenue of the people;...'

"He then quotes from Smith's Wealth of Nations, and continues: 'The remarkable coincidence of the clause of the constitution with this passage in using the word 'capitation' as a generic expression, including the different species of direct taxes-- an acceptation of the word peculiar, it is believed, to Dr. Smith-- leaves little doubt that the framers of the one had the other in view at the time, and that they, as well as he, by direct taxes, meant those paid directly from the falling immediately on the revenue;..."

Pollock v. Farmer's Loan & Trust, 157 U.S. 429 (1895).

7. That content and those conclusions are further informed by my awareness that Adam Smith's definition of capitations includes, among other things:

"The taxes which, it is intended, should fall indifferently upon every different species of revenue, are capitation taxes,"... "Capitation taxes, if it is attempted to proportion them to the fortune or revenue of each contributor, become altogether arbitrary. The state of a man's fortune varies from day to day, and without an inquisition more intolerable than any tax, and renewed at least once every year, can only be guessed at."..."Capitation taxes, so far as they are levied upon the lower ranks of people, are direct taxes upon the wages of labour, and are attended with all the inconveniences of such taxes."..." In the capitation which has been levied in France without any interruption since the beginning of the present century, the highest orders of people are rated according to their rank by an invariable tariff; the lower orders of people, according to what is supposed to be their fortune, by an assessment which varies from year to year."

Adam Smith, 'An Inquiry into the Nature and Causes of the Wealth of Nations', Book V, Ch. II, Art. IV (1776)

- 8. That content and those conclusions are further informed by my awareness that Adam Smith used the common word 'wages' in his work, not the custom-defined term of the same spelling found in the modern revenue laws, thus declaring that among other things, a tax upon common pay-for-labor is a capitation; and also that Smith includes elsewhere in his definition of "capitations" a version imposed under the label "poll taxes," described as taxes assessed as (or on) a portion of an individual's annual gains.
- 9. That content and those conclusions are further informed by my awareness that Bouvier's Law Dictionary, 6th Ed. (1856), the official law dictionary of Congress in the middle of the 19th century when the income tax was first enacted, and which, in harmony and concert with Adam Smith's definitions, illuminates Congressional intentions as to what their newly-enacted unapportioned "income tax" of 1862 is, and can be, and isn't, and cannot be, contains the following definition:

"CAPITATION, A poll tax; an imposition which is yearly laid on each person according to his estate and ability."

- 10. The content to which I attested as being what I know and believe to be true, complete and correct on the tax-related documents I freely signed concerning 2002, 2003 and 2008, and the conclusions reflected therein, are informed by my belief that in light of the foregoing, however much it may have been carefully crafted to appear otherwise, the unapportioned income tax cannot and does not fall on:
  - "all that comes in";
  - "every different species of revenue";
  - "the fortune or revenue of each contributor";
  - "the [common-meaning] wages of labour";
  - "what is supposed to be one's fortune [per] an assessment which varies from year to year"; or
  - "[an assessed percentage] of [one's] annual gains;

and it is therefore axiomatic that what qualifies as "income" subject to the tax must be only a specialized and distinguished subclass of gains.

11. That content and those conclusions are further informed by my awareness that the United States Supreme Court and other authorities, including Congress and the United States Department of Treasury, have repeatedly and consistently declared the "income tax" to be an excise tax, as in the following:

"I hereby certify that the following is a true and faithful statement of the gains, profits, or income of \_\_\_\_\_, of the \_\_\_\_ of \_\_\_, in the county of \_\_\_\_, and State of \_\_\_\_, whether derived from any kind of property, rents, interest, dividends, salary, or from any profession, trade, employment, or vocation, or from any other source whatever, from the 1st day of January to the 31st day of December, 1862, both days inclusive, and subject to an income tax under the excise laws of the United States:"

(from the first income tax return form) (emphasis added);

"The income tax is, therefore, not a tax on income [earnings] as such. It is an excise tax with respect to certain activities and privileges which is measured by reference to the income which they produce."

F. Morse Hubbard, Treasury Department legislative draftsman. House Congressional Record, March 27, 1943, page 2580 (emphasis added);

"...in Springer v. U. S., 102 U.S. 586, it was held that a tax upon gains, profits, and income was an excise or duty, and not a direct tax, within the meaning of the constitution, and that its imposition was not, therefore, unconstitutional."

Pollock v. Farmer's Loan & Trust, 158 U.S. 601, 1895 (emphasis added);

"...taxation on income was in its nature an excise entitled to be enforced as such,"

Brushaber v. Union Pacific RR. Co., 240 U.S. 1 (1916), quoting and reiterating language used in its ruling in Pollock v. Farmer's Loan and Trust (emphasis added).

"So the [16th] amendment made it possible to bring investment income within the scope of the general income-tax law, but did not change the character of the tax. It is still fundamentally an excise or duty with respect to the privilege of carrying on any activity or owning any property which produces income."

F. Morse Hubbard, Treasury Department legislative draftsman. House Congressional Record, March 27, 1943, page 2580 (emphasis added).

12. That content and those conclusions are further informed by my awareness that the United States Supreme Court and other authorities have consistently and repeatedly declared "excise taxes" to be taxes on the exercise of privileges, as in the following:

"...the requirement to pay [excise] taxes involves the exercise of privilege." Flint v. Stone Tracy Co., 220 U.S. 107 (1911);

"The terms 'excise tax' and 'privilege tax' are synonymous. The two are often used interchangeably."

American Airways v. Wallace, 57 F.2d 877, 880 (Dist. Ct., M.D. Tenn., 1932);

"The 'Government' is an abstraction, and its possession of property largely constructive. Actual possession and custody of Government property nearly always are in someone who is not himself the Government but acts in its behalf and for its purposes. He may be an officer, an agent, or a contractor. His personal advantages from the relationship by way of salary, profit, or beneficial personal use of the property may be taxed..."

United States v. County of Allegheny, 322 US 174 (1944).

"The income tax... ...is an excise tax with respect to certain activities and privileges which is measured by reference to the income which they produce. The income is not the subject of the tax; it is the basis for determining the amount of tax."

Former Treasury Department legislative draftsman F. Morse Hubbard in testimony before Congress in 1943

"The obligation to pay an excise is based upon the voluntary action of the person taxed in performing the act, enjoying the privilege or engaging in the occupation which is the subject of the excise, and the element of absolute and unavoidable demand is lacking. \* \* \* The term "excise tax" is synonymous with "privilege tax" and the two are used interchangeably. Whether a tax is characterized in the statute imposing it as a privilege tax or an excise tax is merely a choice of synonymous words, for an excise tax is a privilege tax."

71 Am. Jur.2d Sec. 24, pp. 319-320

13. That content and those conclusions are further informed by my awareness that "privilege" is defined as:

"PRIVILEGE: A particular benefit or advantage enjoyed by a person, company, or class beyond the common advantages of others citizens. An exceptional or extraordinary power of exemption. A particular right, advantage, exemption, power, franchise, or immunity held by a person or class, not generally possessed by others."

Black's Law Dictionary, 6th edition;

PRIVILEGE. A right peculiar to an individual or body. Ripley v Knight, 123 Mass 519. An advantage held by way of license, franchise, grant, or permission, not possessed by others. Special enjoyment of a good, or exemption from an evil or burden. Wisener v Burrell, 28 Okla 546, 118 P 999. An immunity existing under the law. For tax purposes, any occupation or business which the legislature may declare to be a privilege and tax as such. Seven Springs Water Co. v Kennedy, 156 Tenn 1, 299 SW 792 56 ALR 496. (Civil law.) A tacit hypothecation of a thing without any transfer of the possession of it or of the right to possession. The Glide, 167 US 606, 42 L Ed 296, 17 S Ct 930.

Ballentine's Law Dictionary, 3rd Edition

PRIVILEGE, rights. This word, taken its active sense, is a particular law, or a particular disposition of the law, which grants certain special prerogatives to some persons, contrary to common right. In its passive sense, it is the same prerogative granted by the same particular law. Bouvier's Law Dictionary, 6th Ed. (1856).

13. The content to which I attested as being what I know and believe to be true, complete and correct on the tax-related documents I freely signed concerning 2002, 2003 and 2008, and the conclusions reflected therein, are informed by my belief that my economic activities are not extraordinary, not of any special

## 2:13-cr-20371-VAR-LJM Doc # 17 Filed 06/28/13 Pg 28 of 28 Pg ID 70

character, and not distinguished or distinguishable in any way as being within the power of the state to make subject to a charge for the enjoyment thereof, and that in light of the foregoing evidence and authorities nothing I have earned and nothing I have done can properly and honestly be reported on forms intended for the reporting of taxable things other than as I have so reported.

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Executed on June 27, 2013.

Doreen M. Hendrickson

Subscribed and sworn to or

affirmed before me this date:

127/2013

[seal]

My Commission Expires:

07/23/2017

ANNETTE M RHODES

NOTARY PUBLIC - STATE OF MICHIGAN COUNTY OF OAKLAND

My Commission Expires; July 28

Acting in the County of OAKLANG